

article had been shipped by the Bartlett Frazier Co., Indiana Harbor, Ind., on or about December 16, 1919, and transported from the State of Indiana into the State of New Hampshire, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that the said article contained an added poisonous or deleterious ingredient, to wit, castor [castor bean pomace], which might render it injurious to health.

On January 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal upon condition that it should not be used except for seed purposes.

E. D. BALL, *Acting Secretary of Agriculture.*

9362. Adulteration of catsup. U. S. * * * v. 1,150 Cases * * * of Brooks Tobasco Flavor Catsup. Default decree of condemnation and forfeiture. Shipper authorized to salvage good portion of product and containers. Bad portion ordered destroyed. (F. & D. No. 12496. I. S. Nos. 3317-r, 3320-r. S. No. W-598.)

On May 14, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,150 cases, each containing 3 dozen 9-ounce bottles, of Brooks Tobasco Flavor Catsup, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Brooks Tomato Products Co., from Mount Vernon, Ill., on or about November 10, 1919, and transported from the State of Illinois into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Brooks Tobasco Flavor Catsup * * * Brooks Tomato Products Co., Collinsville, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On February 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the Brooks Tomato Products Co., Mount Vernon, Ill., be authorized to salvage the good portion of the product and the containers, under the supervision of this department, and that the bad portion be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

9363. Misbranding of Rawleigh's All-Medicine Hog Mixture. U. S. * * * v. 15 Packages of Rawleigh's All-Medicine Hog Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12927. Inv. Nos. 21137, 21048. S. No. E-2362.)

On June 19, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 packages of Rawleigh's All-Medicine Hog Mixture, at Warrenton, N. C., alleging that the article had been shipped by the W. T. Rawleigh Co., Chester, Pa., on or about April 4, 1920, and transported from the State of Pennsylvania into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Rawleigh's All-Medicine Hog Mixture * * * To Prevent Disease, * * * If a contagious disease is in the neighborhood feed regularly as long as the contagion lasts. * * * Even hogs so sick with Cholera that they refused to eat anything else have had their appetites restored by it, and have

improved steadily until perfectly well. * * * Hog Cholera and Swine Plague * * * it is recommended as especially useful to help overcome and prevent these diseases, and has been found helpful in restoring hogs to health in many cases where they gave practically every symptom of being afflicted with one or the other of these diseases. * * * Use Enough To Do Some Good * * * The Mixture should be given regularly at least several weeks to obtain appreciable benefit. * * * Give it a trial, a thorough test, and you will be unusually well pleased with the results * * *;" (booklet in English and foreign languages) " * * * To Prevent Disease, * * * If a contagious disease is in the neighborhood feed regularly as long as the contagion lasts. * * * Even hogs so sick with Cholera that they refused to eat anything else have had their appetites restored by it, and have improved steadily until perfectly well."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of powdered sodium thiosulphate, phosphate, bicarbonate, chlorid, and sulphate, ferrous sulphate, potassium nitrate, charcoal, lime, sulphur, buckthorn, and ginger.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements were false and fraudulent and were applied to the article so as to represent falsely and fraudulently to purchasers thereof that the article was an effective remedy for the purposes for which it was recommended, when, in truth and in fact, it was not, and it contained no ingredients or combination of ingredients capable of producing the effects claimed for it.

On December 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9364. Misbranding of Henry S. Wampole's Phosphorus, Nux, and Damiana Compound. U. S. * * * v. 14 Packages Small and 10 Packages Large Size of * * * Henry S. Wampole's Phosphorus, Nux, and Damiana Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13414. I. S. No. 10064-t. S. No. W-715.)

On August 18, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 packages small size and 10 packages large size of Henry S. Wampole's Phosphorus, Nux, and Damiana Compound, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Henry S. Wampole Co., Baltimore, Md., in part on August 22, 1919, and in part on April 7, 1920, and transported from the State of Maryland into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of alkaloids of nux vomica, damiana extractives, phosphorus, and celery, in alcohol and water.

It was alleged in substance in the libel that the article was misbranded in that it was labeled as follows, (carton and bottle) "For an exhausted nervous system, nervous weakness and lost vitality, impotence, insomnia, hysteria, nervous depression and other diseases of the brain and nerves of both sexes * * * renewing strength, restoring lost vitality and increasing all the physical powers," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.